

Article 9: Construction Permits

Division 6: Grading Permit Procedures

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0601 Purpose of Grading Permit Procedures

The purpose of these procedures is to establish the process for review of Grading Permit applications for compliance with the regulations set forth in Chapter 14, Article 2, Division 1 and to protect persons, property and the environment.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§129.0602 When a Grading Permit is Required

A Grading Permit is required for the following work:

- (a) Any *grading* within open space easements or City-owned open space;
- (b) Any *grading* required for the restoration of unauthorized *grading*;
- (c) Any *grading* within the *Special Flood Hazard Area*;
- (d) Any *grading* in accordance with a Grading Permit required as a condition of a *development permit* to assure compliance with the *development* permit conditions.
- (e) Any *grading* that includes the following conditions:
 - (1) *Excavation* or *fill* that results in a slope with a gradient of 25 percent or greater (4 horizontal feet to 1 vertical foot) and for which the depth or height at any point is more than 5 feet measured vertically at the face of the slope from the top of the slope to the bottom of the slope;
 - (2) *Excavation* or *fill* for which the depth or height at any point from the lowest *grade* to the highest *grade* at any time during the proposed *grading* is more than 5 feet measured vertically;
 - (3) *Grading* that creates manufactured slopes at a gradient exceeding that specified in Section 142.0133;
 - (4) *Grading* for which the graded area is more than 1 acre;

- (5) *Grading* that adversely affects the existing drainage pattern by altering the drainage pattern, concentrating runoff, increasing the quantity of runoff, or increasing the velocity of runoff to adjacent properties;
 - (6) Placing *fill* material that contains more than 5 percent, by volume, of broken concrete, asphalt, masonry, or construction debris;
 - (7) Placing *fill* material that has any piece larger than 12 inches in any direction; or
 - (8) *Grading* that includes blasting or other use of explosives.
- (f) Any *grading* work on a property that contains a *historical resource* as described in Section 143.0210.
(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§129.0603 Exemptions from Requirement for a Grading Permit

A Grading Permit is not required for the work listed below unless section 129.0602 requires otherwise.

- (a) *Excavation* below finished *grade* for the *basement* or footing of a building, for a *retaining wall*, or for any other *structure* authorized by a valid Building Permit provided that the excavated material is disposed of at a legal disposal site in a safe and sanitary manner. This paragraph shall not exempt any *fill* made with material from the *excavation* that exceeds thresholds established in Section 129.0602.
- (b) The deposit of material in any disposal area operated or licensed by the City where the operation and conduct thereof does not block or divert any natural drainage way, affect the lateral support of, or unduly increase the stresses in or pressures upon any adjacent or contiguous property.
- (c) Gravel pits, mines, quarries, or the processing and stockpiling of soil, rock and gravel, aggregate, or clay where these operations are conducted in accordance with an approved Conditional Use Permit, and where the operation does not block or divert any natural drainage way, affect the lateral support of, or unduly increase the stresses in or pressures upon any adjacent or contiguous property. This paragraph shall not exempt *grading* work required by an approved restoration plan.